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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2022

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THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.13610 OF 2022

AND

W.M.P.NO.12835 OF 2022

U.Mahendran

... Petitioner

Vs.

1. The Commissioner of Fisheries,
Nandanam,
Chennai - 600 035.
2. The Executive Engineer,
Water Sources Department,
Melpalaru Irrigation Division,
Vellore - 632 006.
3. The Assistant Executive Engineer,
Water Sources Department,
Melpalaru Irrigation Sub Division,
Ranipet District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing 2nd and 3rd respondents to extend the lease period to the petitioner as per G.O.Ms.No.201 dated 19.10.2017, by considering the petitioner's representation dated 27.05.2022.

For Petitioner : Mr.I.Abrar Mohammed Abdullah
for Mr.P.Krishnan

For Respondents : Mr.K.H.Ravi Kumar
Government Advocate

ORDER

This Writ Petition has been filed for a Mandamus, seeking for a direction to the second and third respondents to extend the lease period to the petitioner as per G.O.Ms.No.201 dated



19.10.2017, based on the petitioner's representation dated 27.05.2022.

2. The petitioner is aggrieved by the non-extension of lease. According to the petitioner, the fishery lease granted to him, has to be extended as per G.O.Ms.No.201 dated 19.10.2017 and he has also given a representation on 27.05.2022 for the said purpose. The said representation has not been considered till date. In such circumstances, he has filed the present Writ Petition.

3. Heard Mr.I.Abrar Mohammed Abdullah for Mr.P.Krishnan, learned counsel for the petitioner. Mr.K.H.Ravi Kumar, learned Government Advocate accepts notice on behalf of the respondents.

4. This Court is not expressing its view on the merits of the request made by the petitioner in his representation dated 27.05.2022, referred to supra. However, this Court is of considered view that no prejudice will be caused to the respondents if the petitioner's representation, seeking for extension of lease is considered on merits and in accordance with law, after affording a fair hearing to the petitioner including, granting him the right of personal hearing.

5. For the foregoing reasons, this Court directs the second respondent to pass final orders on the petitioner's representation dated 27.05.2022, seeking for extension of fishery lease as per G.O.Ms.No.201 dated 19.10.2017, within a period of four (4) weeks from the date of receipt of a copy of this order, after affording a fair hearing to the petitioner including, granting him the right of personal hearing.

6. With the aforesaid direction, this Writ Petition is disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

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To

1. The Commissioner of Fisheries,
Nandanam,
Chennai - 600 035.



2. The Executive Engineer,
Water Sources Department,
Melpalaru Irrigation Division,
Vellore - 632 006.

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3. The Assistant Executive Engineer,
Water Sources Department,
Melpalaru Irrigation Sub Division,
Ranipet District.

+1cc to the Government Pleader, High Court, Madras, S.R.No.35344

W.P.No.13610 of 2022

VG-II (CO)
RLP (28/06/2022)